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ATTORNEY FOR DEFENDANT
LIBORIO RUIZ LOPEZ, JR.

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

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|---------------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA, |) | CR.-S-03-362-GEB |
| PLAINTIFF, |) | STIPULATION AND PROPOSED ORDER |
| v. |) | TO CONTINUE STATUS CONFERENCE |
| LIBORIO RUIZ LOPEZ, JR.,et al., |) | |
| DEFENDANTS. |) | |

Plaintiff United States of America, by its counsel, Assistant United States Attorney, Mr. Phillip A. Talbert, defendant Maria Ruiz, by her counsel Armando G. Villapudua, and defendant Liborio Ruiz Lopez, Jr., by his counsel James R. Greiner, hereby stipulate and agree that the status conference calendared for **Friday, July 24, 2005, at 9:00 a.m.** before the Honorable District Court Judge Garland E. Burrell, Jr. shall be vacated and continued to **Friday, August 19, 2005, at 9:00 a.m.**

The parties stipulate and are agreeing that time can be excluded from the speedy trial act due to the fact that the government and both of the defendants are continuing in the process of pre-trial discussions, investigations and negotiations in a good faith effort and attempt to resolve this matter short of trial; the parties are in the continuing process of resolving some remaining issues in the potential plea agreements so that the case can be resolved by all parties short of trial (which is the

1 goal of all parties); the parties want to make sure the language in the plea agreements is correct and
2 that there are no outstanding issues; the parties are working diligently to resolve all issues in the plea
3 agreements. In that regard the government and the defense have held many discussions and have had
4 face to face meetings and both the government and the defense are continuing to talk and moving
5 toward resolution of all issues in the plea agreements; investigation by the parties is on going during
6 the good faith efforts at negotiating a resolution short of trial; the parties have been sharing
7 information and continue to share information in the on going good faith efforts at resolving this
8 matter; when new information is presented it is being investigated by both sides; both the
9 government and the defense are diligently working of resolving this matter.

10 The parties are requesting that the Court agree with this stipulation between the parties.

11 The defendants have been advised of their rights and the rights under both the speedy trial
12 Act and the Constitution and have agreed to such continuance.

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The parties stipulate and agree that time shall be excluded **through Friday, August 19, 2005, under Title 18 section 3161(h)(8)(B)(ii) and Local Code T-4.**

Respectfully submitted,

McGREGOR W. SCOTT
UNITED STATES ATTORNEY

/s/ PHILLIP A. TALBERT BY JAMES R. GREINER

DATED: 6-20-05

PHILLIP A. TALBERT
ASSISTANT UNITED STATES ATTORNEY
ATTORNEYS FOR THE PLAINTIFF

/S/ ARMANDO G. VILLAPUDUA BY JAMES R. GREINER

DATED: 6-20-05

ARMANDO G. VILLAPUDUA
ATTORNEY FOR DEFENDANT RUIZ

/S/ JAMES R. GREINER

DATED: 6-20-05

JAMES R. GREINER
ATTORNEY FOR DEFENDANT LOPEZ, JR.

Permission to sign was granted by telephone authorization after full discussion with the attorneys.

ORDER

IT IS SO ORDERED.

Dated: June 22, 2005

/s/ Garland E. Burrell, Jr.
GARLAND E. BURRELL, JR.
United States District Judge